REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-26 are pending in the above-identified application, Claims 1-22 having been amended and Claims 23-26 having been canceled without prejudice or disclaimer by the present amendment. No new matter is added.

In the outstanding Office Action, the 26th claim was objected to as misnumbered as Claim 27; Claims 23-27 were rejected under 35 U.S.C. § 101 as directed to non-statutory subject matter; Claims 1-5, 12, 14, 16, 20, and 21 were rejected under 35 U.S.C. § 102(a) as anticipated by White et al. (U.S. Pat. Pub. No. 2002/0049979, hereinafter "White"); Claims 7, 8, and 15 were rejected under 35 U.S.C. § 103(a) as unpatentable over White in further view of Official Notice; Claim 6 was rejected under 35 U.S.C. § 103(a) as unpatentable over White in further view of Gormley (U.S. Pat. No. 5,258,837, hereinafter "Gormley"); Claim 13 was rejected under 35 U.S.C. § 103(a) as unpatentable over White in further view of Washino (U.S. Pat. No. 5,625,410, hereinafter "Washino"); and Claims 9-11 and 17-19 were rejected under 35 U.S.C. § 103(a) as unpatentable over White in further view of Atwater et al. (U.S. Pat. Pub. No. 2002/0048275, hereinafter "Atwater").

In reply, the 26th claim is now properly labeled Claim 26 (not Claim 27). Thus, we believe that this objection has been overcome.

Claim 22 has been amended to recite a computer readable storage medium encoded with a computer program configured to cause an information processing apparatus to execute a method, and thus define statutory subject matter. Thus, it is respectfully submitted that the 35 U.S.C. § 101 rejection has been overcome.

Claim 1 recites, in part, a video network including:

> a plurality of video sources configured to first ***launch onto the video network higher resolution video data and*** to then launch ***lower***

resolution video data providing a lower resolution representation of the higher resolution video data.

Applicants' specification describes, as a non-limiting example, that the claimed invention provides a networking system where AV sources can be switchably connected to AV destinations (recorders, transmitters). The AV sources are each linked to this network via network interface cards that generate low-resolution proxy versions of the AV source data. These low-resolution versions are displayed on a network manager GUI, allowing the program editor to see all the sources that are available in real time, however, without using large amounts of bandwidth or processing.

White describes that multiple cameras are linked to a common video editing and streaming server (110, Figure 1 or 401, Figure 4), which generates so-called "thumbnail" streams. These are then transmitted over a network to a user, who can select which of the views represented by the thumbnails to also receive at full resolution. See paragraph [0023], in which images from the cameras are "captured" by the server 110 which then generates the thumbnail and full resolution "streams."

Consequently, the video sources (cameras 102A-D of White) do not themselves launch *any* video data onto the network in White, but instead simply plug directly into a common editing server. In particular, the video sources in White do not launch low-resolution data on to the network since this is generated by the common server. As a result, the full processing load of generating the thumbnails is imposed on the server, potentially limiting the number of sources that can be monitored in this fashion. This would be a severe limitation in a studio environment or outside broadcast, where a large number of sources need to be flexibly configured. Hence, in White, the ability to generate a low resolution proxy is associated with a central server, not with the video sources. Moreover, the video sources in White are not operable to launch these high and low resolution videos onto the network themselves.

Therefore, White does not teach or suggest "a plurality of video sources configured to first launch onto the video network higher resolution video data and to then launch lower resolution video data providing a lower resolution representation of the higher resolution video data," as recited in Claim 1.

Further, White does not teach or suggest "a network switch configured to selectively route the data from the video sources to the at least one destination device," as recited in Claim 1. This feature provides, for example, the advantage of a highly scalable and rapidly reconfigurable audio video network that does not suffer from the processing bottleneck of White, while also mitigating the physical limits of available direct AV connections to the cameras required by the system in White, due to the availability of network switching.

Consequently, White neither teaches nor suggests "a video network," as defined in Claim 1. Accordingly, it is respectfully submitted that White does not anticipate or make obvious the features of Claim 1. Therefore, Claim 1 (and the claims dependent therefrom) are believed to patently define over White.

Independent Claim 20 and independent Claim 22 recite features similar to Claim 1. Accordingly, just as White does not disclose or suggest all of the elements in Claim 1, similarly, White does not disclose or suggest all of the elements in independent Claims 20 and 22. Accordingly, it is respectfully submitted that White does not anticipate or make obvious the features of independent Claims 20 and 22. Therefore, Claims 20 and 22 (and the claim s dependent therefrom) are believed to patentably define over this applied art.

Regarding the rejection of Claims 7-8 and 15 as unpatentable over White in view of Official Notice, it is noted that Claims 7-8 and 15 are dependent from Claim 1, and thus are believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Official Notice does not cure any of the above-noted deficiencies of White.

Accordingly, it is respectfully submitted that Claims 7-8 and 15 are patentable over White in view of Official Notice.

With further regard to the Official Notice taken in the outstanding Office Action with regard to Claims 7-8 and 15, M.P.E.P. § 2144.03 states that it is never appropriate to rely solely on common knowledge in the art without evidentiary support in the record, as the principal evidence upon which the rejection is based. Accordingly, Applicants traverse the 35 U.S.C. § 103 rejection based on the Official Notice taken in the outstanding Office Action for the reason that, without the temporal and structural context by which these features are known to the artisan, it is impossible to conclude that it would be obvious for one of ordinary skill in the art at the time of the invention to combine those noticed features with the art of record. Indeed, the context by which these features are allegedly known might itself provide reasons to rebut a *prima facia* case of obviousness.

With regard to the rejection of Claim 6 as unpatentable over White in view of Gormley, it is noted that Claim 6 is dependent from Claim 1, and thus is believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Gormley does not cure any of the above-noted deficiencies of White. Accordingly, it is respectfully submitted that Claim 6 is patentable over White in view of Gormley.

With regard to the rejection of Claim 13 as unpatentable over White in view of Washino, it is noted that Claim 13 is dependent from Claim 1, and thus is believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Washino does not cure any of the above-noted deficiencies of White. Accordingly, it is respectfully submitted that Claim 13 is patentable over White in view of Washino.

With regard to the rejection of Claims 9-11 and 17-19 as unpatentable over White in view of Atwater, it is noted that Claims 9-11 and 17-19 are dependent from Claim 1, and thus are believed to be patentable for at least the reasons discussed above. Further, it is

respectfully submitted that Atwater does not cure any of the above-noted deficiencies of White. Accordingly, it is respectfully submitted that Claims 9-11 and 17-19 are patentable over White in view of Atwater.

Consequently, in view of the present amendment and in light of the above discussions, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)

Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Surinder Sachar
Registration No. 34,423

Robert T. Pous
Registration No. 29,099